

# OSP Instructions & CMS Final Rule PCSP Requirements

March 8, 2016

Developmental Disabilities Division

# Overview

- New regulations established by CMS
  - Home & Community Based Services (aka waiver)
  - Effective March 17, 2014
- Setting requirements
  - Characteristics and individual experiences
  - Full access of community living
  - Enhancement on choice & control
- Person Centered Service Plan requirements
  - Planning process is person centered (methods, concepts, responsibilities)
  - Plan documentation (what to write in the OSP plan in Therap)

# Overview

- Today's focus: OSP Instructions & CMS requirements
  - Additional document created for Providers and DDPM's with Statewide training
  - Includes PCSP CMS requirements
  - Includes changes to OSP Instructions and current OSP plan in Therap

*\*The complete updated OSP Instructions will be rolled out later along with other updates and enhancements*

- Statewide trainings completed Sept. 2015
  - Training material & OSP Instructions found at:  
<http://www.nd.gov/dhs/services/disabilities/dd.html>

# Implementation

- Changes apply NOW to all services required to use the OSP plan
  - State has not required providers of intermittent services only to use OSP in Therap
    - The Final Rule PCSP requirements should be incorporated into format used by provider
  - Includes ICF/IID's-not in conflict with ICF/IID Regulations
  - Health Facilities reviewed and approved for ICF/IID's
- Requirements are built within current OSP plan format in Therap
- Providers and DDPM's implement as meeting/plans occur NOW
- Statewide Transition Plan Revision (proposed draft)
  - OSP's written or updated to comply by December 2016

# Documentation Requirements

*\*Information only reflects OSP Instructions correlated to the Final Rule. For any previously existing directions refer to OSP Instructions.*

## Overall Goals and Learning Support Objectives

- Include identified goals and desired outcomes
  - No changes-OSP already contained instructions and documentation for goals, objectives and supports

# Documentation Requirements

Review of plan and progress toward outcomes, Self-assessment, Risk assessment, Residential assessment, Vocational/employment/day support/VR, and Health and Welfare

- Services and supports (paid and unpaid)
- Strengths and preferences
- Clinical and support needs
- Natural supports
  - Added directions to document how natural supports and self-directed services assist in services and supports, otherwise directions already contained

# Documentation Requirements

## Self Assessment or Vocational/employment/day support/VR

- Summarize where person lives, works, attends school, and day supports
- Any barriers that may affect a person's choice, the planning process should initiate and address any future steps in meeting
  - Added directions to document

# Documentation Requirements

## Rights limitation and due process

- Added directions to document

Modifications made to the following must be justified and document for all residential settings unless noted

1) Individuals have lease for unit/dwelling they own, rent, or occupy. Lease, at a minimum, has same responsibilities and protections from eviction that tenants have under ND landlord/tenant law.

- For provider-owned residential settings
- Not applicable to ICF/IID

# Documentation Requirements

## Rights limitation and due process cont.

### 2) Individuals have privacy in bedroom & home

- Individual has lockable bedroom doors
- Appropriate staff have keys under emergency situations or circumstances documented in plan
- Individual doesn't want lockable bedroom door after being informed of right-document in Residential Assessment
- Provider-owned residential settings
- Not applicable to ICF/IID

# Documentation Requirements

Rights limitation and due process cont.

3) Individuals who share bedrooms have choice in roommate(s)

4) Individuals furnish/decorate bedroom and living areas within lease

5) Individuals control and have choice in own schedules and activities, and have access to food at any time

# Documentation Requirements

Rights limitation and due process cont.

6) Individuals have visitors of choice any time

Document/summarize the following:

- List restrictions and summarize basis
- Individual/guardian approval, and assurance that interventions/supports will not cause harm
- Specific, individualized assessed need and related diagnosis that is related to need for restriction
  - Health & welfare concerns, assessment results, risk mitigation

# Documentation Requirements

## Rights limitation and due process cont.

- Positive interventions/supports & less intrusive methods tried and not effective
- Review of data collected to measure ongoing effectiveness
- Time limits for periodic reviews (HRC, BMC approval)

# Documentation Requirements

## Review of RMAP and through out OSP

- Risk factors and measures in place to minimize
  - No changes-OSP already contained instructions and documentation

## Emergency back up plan

- Individualized back-up plans and any needed strategies
  - No changes-OSP already contained instructions and documentation

# Documentation Requirements

## DDPM final review and discussion-anticipated change in residence, services, supports, provider

- Document individual's choice in where live, work, day supports. (includes guardian)
- Summarize options available, considered, visited
- No anticipated changes-discuss/document discussion ongoing options and right to change any time
- If not chosen-highlight reasons and future steps
- DDPM reviews options to ensure community integration, informed decision making, and choices continue to be afforded
- Initially, annually, as needs change, or when requested
  - Added directions to document

# Documentation Requirements

## DDPM final review and discussion-self directed services through traditional waiver

- Address self-directed services
- Include purpose and how individual controls aspects
  - Added additional directions to document

## ISP

- Needed services and supports are authorized
- Prevents unnecessary or inappropriate services/supports
- Identified through planning process
- Mission of DD services to assist in becoming independent as can
  - Added clarifying directions but already documented

# Documentation Requirements

## OSP participants/attendees

- Document individual responsible to monitor the plan after title
- PC-internal monitor of services & plan
- DDPM-in depth monitor of services & plan
  - Added directions to document

## Signature Page

- Documents plan is finalized
- informed consent of individual/guardian
- Signed by those responsible for implementation
  - No changes-OSP already contained instructions and documentation

# Planning Process

## Principles and values of the OSP process

*\*Information only reflects OSP Instructions correlated to the Final Rule.  
For any previously existing directions refer to OSP Instructions.*

- Individuals/guardians may request verbally or in writing to DDPM or PC for plan update as needed
- Individual is supported to direct plan process to maximum extent possible & desired
  - Provide necessary info to enable informed choices
- Meetings timely & occurs at times/locations convenient to individual
- Includes people chosen by individual

# Planning Process

## Principles and values of the OSP process cont.

- Reflects cultural considerations, info provide in understandable/meaningful language, and accessible to needs
  - No professional jargon
  - Interpreters for English language learners
  - Written OSP-individualized formats such as personal “books”, pictures, own words, etc.
  - Annual rights/responsibilities

# Planning Process

## Principles and values of the OSP process cont.

- Choices regarding services, supports and providers
- Documents settings individual considered
  - DDPM provides information and options
  - Based on needs, preferences, goals
  - Settings include not exclusive to people with same/similar disabilities
  - Most integrated settings and ensure full access to community living
  - Individuals informed of all possibilities leading to informed choice
  - Initially, annually, needs changes, or requested
  - Residential-financial resources considered, costs, option for own bedroom & choice in roommate

# Planning Process

## Principles and values of the OSP process cont.

- Conflicts or disagreement within process included
  - Addressed professional, neutral, respectful manner
  - Conflict resolution skills
- OSP distributed with individual, guardian, and other team members don't have Therap access

THANK YOU!

QUESTIONS?